

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

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EMBLEMHEALTH, INC.	)	
HEALTH INSURANCE PLAN OF	)	
GREATER NEW YORK, INC. ET AL,	)	
	)	Case No. 19-1164
Plaintiff,	)	
	)	Judge Campbell-Smith
v.	)	
	)	
THE UNITED STATES,	)	
	)	
Defendant.	)	
_____	)	

**JOINT STATUS REPORT**

Pursuant to the Court’s January 5, 2022 order (ECF No. 17), the parties respectfully submit this Joint Status Report.

This case is currently stayed because the Government is working with a number of CSR plaintiffs to determine whether they may efficiently resolve this matter without further litigation or at least streamline these cases. The parties request that the Court continue the stay in this case to provide more time for the broader discussions about possible approaches to resolving this and other CSR cases. As the parties reported previously, counsel for a large number of plaintiff health plans shared a proposal with the Government on December 3, 2021.

On April 28, 2022, the Government provided its substantive response to the other CSR Plaintiffs’ proposed settlement methodology for CSR damages owed for benefit years 2018 and beyond. Those CSR Plaintiffs have since reviewed the Government’s response, and the parties have met and exchanged additional information in furtherance of settlement negotiations for CSR claims for benefit years 2018 and beyond. That process is ongoing. Plaintiffs here have expressed a willingness to consider seriously the method, if any, that the Government is able to agree to with the other CSR plaintiffs for resolving or streamlining the CSR cases. The

complexity of the CSR cases and the number of interested stakeholders necessitate that the parties be afforded additional time to pursue this mutual attempt to resolve the damages issues in this case without further litigation. Good cause therefore exists to continue the stay in this case for CSRs due to Plaintiffs for benefit years 2018 and beyond.

As previously directed by the Court, the parties will file another Joint Status Report in sixty days in order to update the Court on the status of their efforts to fully resolve this matter

Respectfully submitted,

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